

DIRECTOR OF CENTRAL INTELLIGENCE
Security Committee

SECOM-D-179

11 May 1982

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence
Director, Intelligence Community Staff

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FROM:


Chairman

1 MAY 1982

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SUBJECT: NSC Staff Secretary Memorandum Dated 29 April 1982,
Subject: Protection of Classified Information

1. Action Requested: Sign the attached memorandum to Judge Clark providing the comments requested by reference.

2. Background: On 2 February 1982, Judge Clark issued implementation guidance for NSDD-19. Part of this requested the Attorney General to convene an interagency group to study the effectiveness of existing statutes and procedures prohibiting unauthorized disclosures of classified information. Attorney General Smith sent this group's report to the President on 31 March. The report's recommendations were summarized in a draft National Security Decision Directive (NSDD). That draft NSDD was sent by reference to department and agency heads asking for comment. Your endorsement (Tab A) of the Attorney General's recommendations crossed reference in the mail. We now need to reiterate that endorsement and suggest desirable fine tuning of the draft NSDD.

3. Staff Position: We believe that adoption of the draft NSDD would improve the protection of classified information, and of intelligence information as a sub-set of it. Implementation of the NSDD's provisions would bring the "national security community" closer into line with Intelligence Community practice in terms of key security provisions. Examples:

a. Nondisclosure agreements - CIA, NSA and DIA require them as a condition of employment. The NSDD would require them as a condition of access to any and all classified information - at least on a prospective basis.

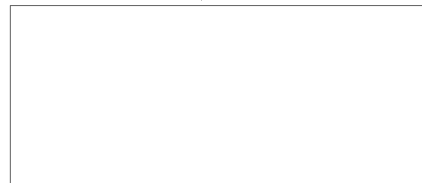
b. Prepublication review requirement - this is in the CIA employment agreement, and is also in the nondisclosure agreements most Community agencies require for access to SCI. The NSDD would make this an across-the-board requirement for access to SCI, and apply it to access to other classified intelligence information as well.

c. News media contacts - CIA regulates these strictly. Practice elsewhere in the Community varies. The NSDD would require all departments and agencies to regulate contacts with a view to stopping leaks.

d. Leak investigations - Community agencies cooperate reasonably well with one another on these. The NSDD would require investigative cooperation generally.

4. There are some editorial ambiguities in the draft NSDD. We have included suggested improvements for two of them in the draft DCI response. We would have liked the draft NSDD to have taken a stronger line on some areas. However, these areas were debated in the interagency group which developed this proposed directive, and the result is the most the "national security community" is prepared to concede now. Accordingly, we believe the Community's security interests are best served by endorsing the substance of the draft NSDD as written. We sought Security Committee member comments on the draft NSDD as well. Those members who have had chance to reply (OSD, Navy, Air Force and Justice) concur with the draft as written. Our approach to this issue has been coordinated with the Office of General Counsel and the Office of Security, DDA.

5. Recommendation: That you sign the proposed memorandum to Judge Clark (Tab B).



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Attachments

SUBJECT: NSDD-19

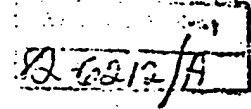
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Central Intelligence Agency



Washington, D.C. 20505



36 APR 1982

MEMORANDUM FOR: The Honorable William P. Clark
Assistant to the President for
National Security Affairs

SUBJECT: Report of the Interdepartmental Group on
Unauthorized Disclosures of Classified
Information

1. I have reviewed the recommendations made by the subject report, which the Attorney General submitted to the President on 31 March 1982. I join with the Attorney General in endorsing these recommendations and believe that a National Security Decision Directive along the lines of that proposed by the report would be an appropriate vehicle for implementing them.

2. I recommend that the report be considered at an early National Security Council meeting so that interested members of the Cabinet may provide their views to the President.

Sincerely,

/s/ William J. Casey

William J. Casey

cc: The Secretary of State
The Secretary of the Treasury
The Secretary of Defense
The Attorney General
The Secretary of Energy

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The Director of Central Intelligence

Washington, D.C. 20505

17 MAY 1982

MEMORANDUM FOR: The Honorable William P. Clark
Assistant to the President for
National Security Affairs

SUBJECT: Protection of Classified Information

1. I have reviewed the draft National Security Decision Directive (NSDD) sent to heads of departments and agencies for formal comment by the National Security Council Staff Secretary. As I noted in my 28 April 1982 memorandum to you, I believe the proposed directive would be an appropriate vehicle for implementing the sound recommendations in the "Report of the Interdepartmental Group on Unauthorized Disclosures of Classified Information" the Attorney General submitted to the President on 31 March 1982. I believe the NSDD's provisions would be of help in better safeguarding intelligence information. I endorse favorable consideration of the draft directive by the National Security Council and its subsequent issuance by the President.

2. Two editorial changes in the draft would help avoid possible misunderstandings. Section 1.b of the draft uses "collateral" as a modifier for "classified information." Since "collateral" means different things to different people, I suggest rewording the expression to "other classified intelligence information." Section 1.c of the draft implies that only "officials" are to be governed by regulations on news media contacts. Use of the word "personnel" instead would remove any ambiguity and implication of different standards.

Signed

William J. Casey

SUBJECT: Letter to The Honorable William P. Clark
Re Protection of Classified Information

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

Executive Registry

82-4298/12

April 29, 1982

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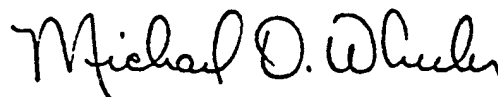
ACTION

MEMORANDUM FOR THE SECRETARY OF STATE
 THE SECRETARY OF THE TREASURY
 THE SECRETARY OF DEFENSE
 THE ATTORNEY GENERAL
 THE SECRETARY OF THE INTERIOR
 THE SECRETARY OF AGRICULTURE
 THE SECRETARY OF COMMERCE
 THE SECRETARY OF TRANSPORTATION
 THE SECRETARY OF ENERGY
 THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET
 ✓ THE DIRECTOR OF CENTRAL INTELLIGENCE
 THE UNITED STATES REPRESENTATIVE TO THE UNITED NATIONS
 THE UNITED STATES TRADE REPRESENTATIVE
 THE CHAIRMAN, JOINT CHIEFS OF STAFF
 THE CHAIRMAN, NUCLEAR REGULATORY COMMISSION
 THE DIRECTOR, ARMS CONTROL AND DISARMAMENT AGENCY
 THE DIRECTOR, OFFICE OF SCIENCE AND TECHNOLOGY
 THE ADMINISTRATOR, GENERAL SERVICES ADMINISTRATION
 THE ADMINISTRATOR, NATIONAL AERONAUTICS AND
 SPACE ADMINISTRATION
 THE DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
 THE DIRECTOR, FEDERAL EMERGENCY MANAGEMENT AGENCY
 THE DIRECTOR, INFORMATION SECURITY OVERSIGHT OFFICE

SUBJECT: Protection of Classified Information

In response to NSDD-19, an interdepartmental group chaired by the Department of Justice has forwarded for consideration a draft National Security Decision Directive (Tab A). The actions it proposes are designed to help deter unauthorized disclosures of classified information.

Please provide formal agency comments on the draft NSDD no later than Friday, May 14.



Michael O. Wheeler
Staff Secretary

Attachment

Proposed NSDD

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